

Date: 2020-12-21

Subject: **Recommendation Report: Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act – 49 Chapel Street - Ward 3 (H.Ex. 49 Chapel Street)**

Contact: Harsh Padhya, Assistant Heritage Planner,
Planning Building and Economic Development
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Report Number: Planning, Building and Economic Development-2021-051

Recommendations:

1. That the report from Harsh Padhya, Assistant Heritage Planner, Planning, Building and Economic Development, dated, 2020, to the Brampton Heritage Board Meeting of 2020, re: **Recommendation Report: Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act – 49 Chapel Street**, be received;
2. That the designation of the property at 49 Chapel Street under Part IV, Section 29 of the Ontario Heritage Act (the “Act”) be approved;
3. That staff be authorized to publish and serve the Notice of Intention to designate the property at 49 Chapel Street in accordance with the requirements of the Act;
4. That, in the event that no objections to the designation are received, a by-law be passed to designate the subject property;
5. That, in the event that any objections to the designation are received, staff be directed to refer the proposed designation to the Ontario Conservation Review Board; and,
6. That staff be authorized to attend any hearing process held by the Conservation Review Board in support of Council’s decision to designate the subject property.

Overview:

- **The purpose of this report is to recommend that City Council state its intention to designate the property at 49 Chapel Street under Part IV, Section 29 of the *Ontario Heritage Act* (the “Act”) for its cultural heritage value or interest.**
- **Following research and evaluation, it has been determined that the subject property meets the provincial criteria for municipal designation prescribed by *Ontario Regulation 9/06* under the categories of design/physical value, historical/ associative value and contextual value.**
- **Upon Council approval, staff will continue with the designation process as required under the Act.**

Background:

The house at 49 Chapel Street is located on the west side of Chapel Street, north of Armstrong Street. The two-and-a-half storey Queen Anne style house was built in circa 1880. The house has dichromatic brick pattern with a two storey three-bay window. The house is one of those on Chapel Street with significant architectural values. The property is located within Secondary Plan Area 7. The Plan states the importance of retaining and conserving buildings of architectural and/or historic merit on their original sites within this distinct “Character Area” within the Downtown Brampton precinct of the Central Area. It is a unique and historical area based on the lot pattern, the presence of historical dwellings and an existing mature tree canopy.

The Ontario Heritage Act enables municipalities to pass by-laws to designate properties of cultural heritage value or interest. Designation under Part IV of the Act is a way of publically acknowledging a property’s value to a community, and ensures the conservation of important places for the benefit and enjoyment of present and future generations. It also allows municipalities to conserve and manage properties through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the Act.

In determining whether a property is of cultural heritage value or interest, the municipality is required to consult Ontario Regulation 9/06, “Criteria for Determining Cultural Heritage Value or Interest”, prescribed under section 29(1)(a) of the Act. A property may be designated if it meets one or more of the following criteria:

1. The property has design value or physical value because it,
 - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
 - ii. displays a high degree of craftsmanship or artistic merit, or
 - iii. demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
 - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
 - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
 - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,
 - i. is important in defining, maintaining or supporting the character of an area,
 - ii. is physically, functionally, visually or historically linked to its surroundings, or
 - iii. is a landmark.

Current Situation:

Following research and evaluation, it has been concluded that the property at 49 Chapel Street meets the municipal criteria prescribed by the Province to designate a property under Part IV, Section 29 of the Act under the categories of design/ physical value, historical/ associative value and contextual value. A Statement of Significance explaining the reasons for designating the property is provided in Appendix A.

Built in the early 1880s, the cultural heritage value of 49 Chapel Street is related to its design and physical value as a representative example of a brick, single-detached Queen Anne residential structure. It is distinguished by its asymmetrical shape with an entrance to one side of the front façade, a varied roofline, projecting three storey bay and decorative sunburst vergeboards on the front and side gables and at the corners of the projecting bays. The projecting bay in the front façade has decorative brick work over the windows and stone window sills.

The house has been beautifully maintained. All additions, most obviously the side-room addition has been finished in style with the original architecture. The entrance is decorated by a cranberry transom and lit by carriage lights. The door was panel scribed and appears to have been recently stained. All of the above are part of a front piece that is topped by an intricate cast iron railing. This provides a walk – out upper porch.

The Builder, Jesse Perry had built many homes in the old fairground block. 49 Chapel is a home that he actually invested in for re-sale with John Smith (according to land registry). Mary L. Stork, wife of retired Merchant James Stork, bought the house in 1887.

The property was transferred from Mary L. Stork to Maggie P. W. Galbraith in 1910. W.J Galbraith served as an Assistant Master at Brampton High School for 20 years before joining Peel as a Public School Inspector. His active involvement with the County was appreciated by officials where he helped them to search minute books for records even after retirement. Isabel Galbraith daughter of Maggie Galbraith used to live at 49 Chapel. She was a School Nurse at the Town of Brampton and served as Nursing Sister for Canadian Army Medical Corp. in Canada, England and France during the World War I. She served overseas for two and a half years of the Great War.

The Galbraiths are one of the most accomplished, least remembered families of Brampton. Scott Galbraith son of Maggie Galbraith, was active in the sports world. He was the manager of the Victoria Hockey Team, Champions Juvenile League, Brampton, 1905.

The property has contextual value as it defines, maintains and supports the historic character of the Chapel Street streetscape. The *Neighbourhood Near the Courthouse* contains substantial nineteenth and early twentieth century single detailed residence that characterize the neighbourhood.

Corporate Implications: None

Financial Implications: None

Other Implications: None

Term of Council Priorities:

This report meets the Term of Council Priorities by preserving and protecting heritage environments with balanced, responsible planning.

Conclusion:

Designation under the Part IV, Section 29 of the Act enables City Council to enforce heritage property standards and restrict the demolition or removal of any building or

structure on the property. The designation of the property will ensure that the brick house at 49 Chapel Street is maintained and if required, support future development application through a collaborative process for conservation.

Authored by:

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Submitted by:

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Attachments:

Appendix A – 49 Chapel Street Designation Report

Report authored by: Harsh Padhya